

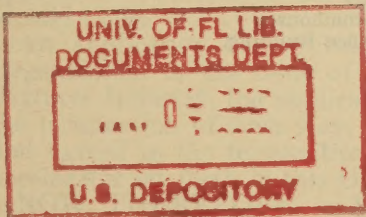
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO  
CODE OF FAIR COMPETITION

FOR THE

PLUMBING FIXTURES  
INDUSTRY

AS APPROVED ON JANUARY 31, 1934

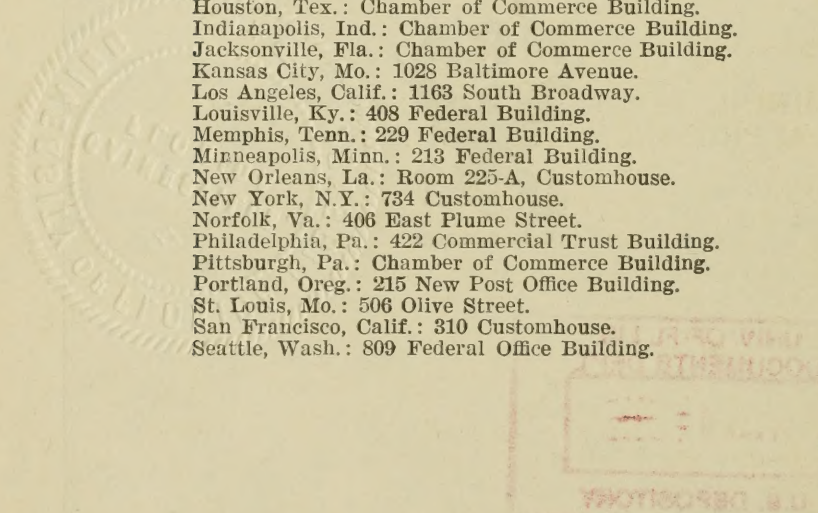


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Approved Code No. 204. Amendment No. 1

**AMENDMENT TO CODE OF FAIR COMPETITION**

**FOR THE**

**PLUMBING FIXTURES INDUSTRY**

**As Approved on January 31, 1934**

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**ORDER**

**TERMINATING STAY CONTAINED IN ORDER OF THE  
ADMINISTRATOR FOR INDUSTRIAL RECOVERY,  
DATED JANUARY 13, 1934, APPROVING  
CODE OF FAIR COMPETITION**

**FOR THE**

**PLUMBING FIXTURES INDUSTRY AND FINALLY  
APPROVING SAID CODE AS MODIFIED**

An Order was signed on January 13, 1934, by the Administrator for Industrial Recovery, on behalf of the President of the United States, approving a Code of Fair Competition for the Plumbing Fixtures Industry but staying for a period of sixty (60) days the application of certain of the provisions of Section 7 of Article VIII of said Code.

An application having been duly made by the Committee on Organization of the Code of Fair Competition for the Plumbing Fixtures Industry, the applicant for the approval of said Code, for the termination of such stay, and such applicant having requested and agreed to the termination of such stay subject to the proviso hereinafter set forth in this Order:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise, do hereby order that said stay be and it is hereby terminated, provided, however, that the provisions of the second paragraph of Section 7 of Article VIII of said Code (contained in the sole complete paragraph appearing on Page 22 of said

Code as originally submitted for approval be modified to read as follows:

"In recognition of the fact that the products of these industries cannot be installed in ultimate service without the performance of wholesaling functions such as assembling, warehousing, and buying in bulk of these products and of accessory and complementary products by individuals, firms, or corporations either exclusively or in conjunction with the performance of the function of retailing said individuals, firms, corporations, or other persons, in consideration of the performance of such wholesaling function and of purchasing in wholesale quantities, shall receive a trade discount from published prices greater than the trade discount accorded to any individuals, firms, corporations, or other persons who do not perform the wholesaling function hereinabove described. The difference between the trade discount allowed to those individuals, firms, corporations, or other persons performing such wholesaling function and the trade discount accorded to other purchasers for resale, shall be determined by each individual manufacturer in establishing his wholesale purchase price level and his retail purchase price level; but in no case shall such difference be less than the percentage determined by the Code Authority, with the approval of the Administrator, subject to modifications made therein from time to time with the approval of the Administrator, such percentage and such modifications therein to be confirmed by immediate studies of the value to the consumer of the functions involved. Such studies shall be made by an impartial fact-finding agency under the direction of the Code Authority."

and do order that said Code of Fair Competition for the Plumbing Fixtures Industry, as so modified with the assent of the said Committee on Organization of the Code of Fair Competition for the Plumbing Fixtures Industry, be and it is hereby approved and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as modified as hereinabove provided, such approval and such modification to take effect ten (10) days from the date hereof, unless good cause to the contrary is shown to the Administrator before that time and the Administrator issues a subsequent order to that effect.

HUGH S. JOHNSON,  
*Administrator for Industrial Recovery.*

Approval recommended:

W. A. HARRIMAN,  
*Division Administrator.*

WASHINGTON, D.C.,  
*January 31, 1934.*



THE PRESIDENT,  
*The White House.*

SIR: This is a report on an amendment to the second paragraph of Section 7, Article VIII, in the Code of Fair Competition for the Plumbing Fixtures Industry as approved on January 13, 1934.

In the order, approving the above Code, executed on January 13, 1934, by the Administrator for Industrial Recovery, the application of the provisions of Section 7 of Article VIII was stayed for a period of sixty (60) days in order to afford consideration of the objections of any interested parties to such provisions. Inasmuch as said provisions have been revised to clarify their meaning and intent, probability of objection has been greatly minimized.

The amended provisions do not in any way affect the Wage and Hour provisions of the Code or the number of workers employed. Their specified purpose is further to stabilize an Industry where unfair competition may be exceedingly detrimental to the continued successful operation of the members of the Industry.

The Assistant Deputy Administrator in his final report to me on said amendment to said Code having found as herein set forth and on the basis of all the proceedings in this matter;

I find that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof.

(c) The applicant associations were and are industrial associations truly representative of the aforesaid Industry and that said associations imposed and impose no inequitable restrictions on admission to membership therein and have applied for or consents to this amendment.

(d) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

(g) For these reasons, therefore, I have approved the amendment to this Code.

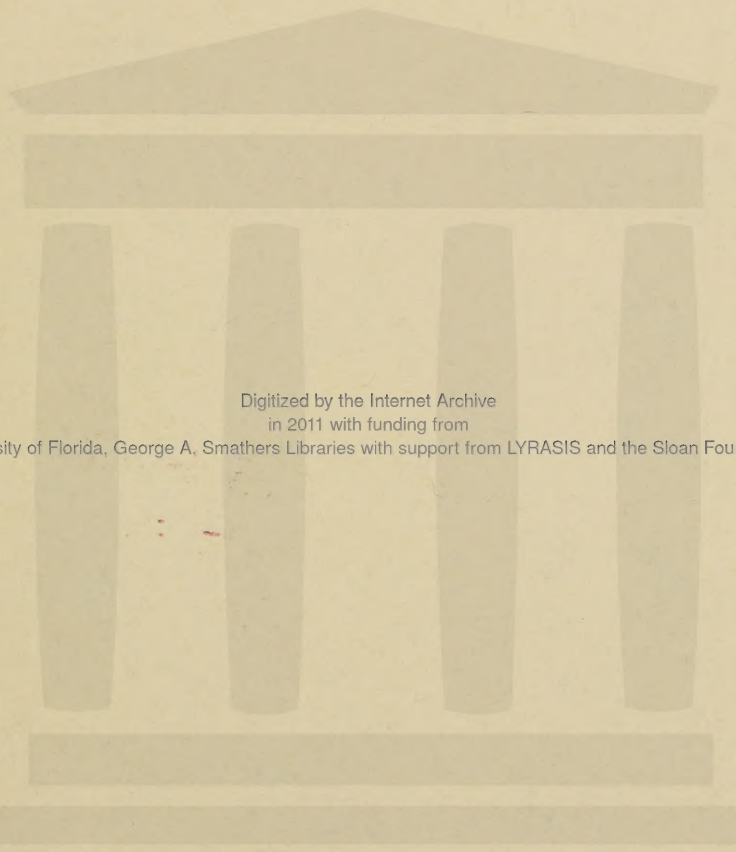
Respectfully,

HUGH S. JOHNSON,  
*Administrator.*

JANUARY 31, 1934.

Approved Code No. 204, Amendment No. 1.  
Registry No. 1129-03.



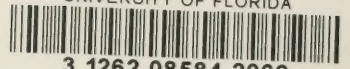


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